

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 07-20414

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE
MONA K. MAJZOUN
UNITED STATES MAGISTRATE JUDGE

D-1 GEOFFREY FIEGER,
D-2 VERNON JOHNSON,

Defendants.

**ORDER TREATING PROTECTIVE ORDER PORTION OF MAGISTRATE JUDGE'S
ORDER OF FEBRUARY 19, 2008 AS A REPORT AND RECOMMENDATION,
THEREBY PROVIDING DEFENDANT 10 DAYS UNTIL MARCH 4, 2008 TO FILE
OBJECTIONS; PROVIDING AN OPPORTUNITY FOR ORAL ARGUMENT ON THE
PROTECTIVE ORDER ISSUES ON MONDAY FEBRUARY 25, 2008**

Before the Court is Defendant Fieger's Emergency Motion to Stay Magistrate Judge Majzoub's February 19, 2008 Opinion and Order Granting the Government's Motion For Protective Order. (Doc. No. 181).

After review, and in the interest of caution regarding an issue with First Amendment implications, the Court will treat the Magistrate Judge's Opinion and Order as providing injunctive relief in violation of 28 U.S.C. § 636(b)(1)(A). Therefore, the Court shall construe the Opinion and Order of February 19, 2008 as a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), and Defendant Fieger shall have 10 days, until March 4, 2008, in which to file written objections to the Report and Recommendation as provided by 28 U.S.C. § 636(b)(1).

Because the Court has already received some substantive briefing on the underlying issue in Defendant Fieger's Emergency Motion, and in the Government Response, the Court will permit

the parties to argue for up to 15 minutes on the protective order issue at the hearing set for Monday, February 25, 2008. The Court will accept one written Objection up to March 4, 2008.

The District Court will issue its Ruling on March 5, 2008.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 22, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 22, 2008.

s/Denise Goodine
Case Manager